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20 Zappos.com, Inc.

21
22 UNITED STATES DISTRICT COURT
23 DISTRICT OF NEVADA

24 IN RE ZAPPOS SECURITY BREACH
LITIGATION

25 MDL: 2357
Case No. 3:12-cv-00325-RCJ-VPC

26-----
27 This document relates to:

28 **STIPULATION REGARDING
SUPPLEMENTAL NOTICE**

29
30 **ALL ACTIONS**

31
32 WHEREAS, on November 4, 2019, the Court entered its Order Granting Joint
33 Emergency Motion for Administrative Relief Pursuant to Local Rule 7-4 and the All Writs Act,
34 28 U.S.C. § 1651 (ECF No. 358) (the “Emergency Order”); and

35
36 WHEREAS, the Emergency Order provides, in relevant part, that “the Parties will
37 issue a notice to all members of the Class informing them of the fraudulent website, re-
38 identifying the correct website for class members to register, and establishing a point of contact

1 for any class members who have visited or used the fraudulent website"; and

2 WHEREAS, to date, more than 126,000 class members have redeemed the
3 discount codes described in the settlement agreement in this matter, with the total value of
4 redeemed discounts exceeding \$1,739,000; and

5 WHEREAS, the parties propose a supplemental notice herein, to address the
6 matters set forth in the Emergency Order, to make it easier for settlement class members to
7 redeem their discount codes, and to provide greater explanation of how the discount code
8 program operates.

9 NOW, THEREFORE, the Parties stipulate and agree, by and through their
10 respective undersigned counsel of record, as follows:

11 1. During the period November 15-30, 2019, Zappos shall email (or shall
12 cause the Settlement Administrator to email) supplemental notice, substantially in the form
13 attached hereto as Exhibit A, to all previously contacted settlement class members (including
14 those who have objected or submitted requests for exclusion); and

15 2. Zappos shall bear the costs of the supplemental notice described herein.

16 O'MARA LAW FIRM, P.C.

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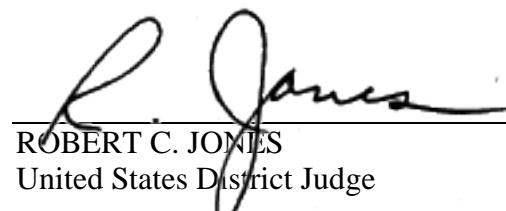
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15 Attorneys for Plaintiffs

16 **ORDER**

17 IT IS SO ORDERED.

18 
19 ROBERT C. JONES
20 United States District Judge

21 Dated: November 15, 2019.

22
23
24

EXHIBIT A

Reminder Notice to Class Members

EXHIBIT A

Please take a moment to read this email

Dear (customer name),

You should have received an email in mid-October about a proposed class action settlement, stating that because you were a customer of Zappos in January 2012, you are entitled to receive a 10% discount on your next Zappos purchase. This discount was part of a settlement reached in the lawsuit filed because of the data breach that occurred in January 2012.

We wanted to reach out again to remind you that you may use your discount code between now and the end of the year (December 31, 2019 at 11:59 pm pacific time to be exact). Here are some highlights for using your discount code:

- You may combine it with other promotions, discounts or points that you have on your Zappos account.
- You can use it on ANY item available on the Zappos app or website, including items that are on sale.
- Your discount code is good on your entire order, no matter how many items you have in your shopping cart.
- There is no limit to how much you can save on your purchase.
- Or, if you prefer, you can simply transfer the code to someone else to use.

If you have already used your discount code and you need to return or exchange the items you purchased with it, feel free to contact our Customer Loyalty Team at (877) 927-2332. They will be happy to assist you and provide you with a new discount code for your return/exchange purchase.

Once again, here is your one-time-use code: «CouponCODE». Once you've selected the items you want to purchase, select "Proceed to Checkout" and you'll have a chance to enter your code.

- For Desktop Users: Under "2. Payment Method," you'll see a dropdown for "Add gift card or a VIP code." Simply enter the code there, click "Apply," and continue checking out.
- For App Users: Select "Gift Codes" in the top right corner, enter your code, select save, and continue checking out.

For additional information regarding the settlement and your legal rights to object or opt out of this settlement, please visit www.Zapposdatasettlement.com, which is the only official settlement website. Please be aware that the website www.zapposdatabreachsettlement.com is a counterfeit website that was ordered closed by the Court. If you inadvertently visited the counterfeit website before it was closed, you may contact (310) 201-9150 for additional information.

Thank you for your patience and understanding and, as always, we're here to help. If you need help with placing an order, please don't hesitate to reach out by contacting us at 2012action@zappos.com or (877) 927-2332. If you need information about the settlement, please write to: Zappos Settlement Administrator, P.O. Box 43434, Providence, RI 02940-3434, or telephone 1-855-263-1060.

We appreciate you,

Your Friends at Zappos